

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

JANE DOE,

*Plaintiff,*

v.

Civil No.: 1:23-cv-01184-JRR

MERCY HIGH SCHOOL, INC., *et al.*,

*Defendants.*

**ORDER**

Pending before the court are Defendants Sisters of Mercy of the Americas, Inc., Sisters of Mercy of the Americas South Central Community, Inc., and Mercy Education System of the Americas, Inc.’s Motion to Dismiss Counts I, II, IV, and VIII (ECF No. 34; the “SOM and MESA Defendants’ Motion”), and Defendant Mercy High School, Inc., Board of Trustees of Mercy High School, Inc., and Mercy High School Asset Management, LLC’s Motion to Dismiss (ECF No. 35; the “Mercy High School Defendants’ Motion”). The court has reviewed all papers; no hearing is necessary. Local Rule 105.6 (D. Md. 2023).

For the reasons set forth in the accompanying memorandum opinion, it is this 24<sup>th</sup> day of June 2024:

**ORDERED** that Plaintiff shall be identified only as “Jane Doe” in all public filings. Any document that identifies Plaintiff by name, in whole or in part, shall be filed under seal, with redacted copies to be placed in the public file; and further it is

**ORDERED** that the SOM and MESA Defendants’ Motion (ECF No. 34), shall be, and is hereby, **GRANTED** and this action is **DISMISSED WITHOUT PREJUDICE** as against Sisters

of Mercy of the Americas, Inc., Sisters of Mercy of the Americas South Central Community, Inc., and Mercy Education System of the Americas, Inc.; and further it is

**ORDERED** that the Mercy High School Defendants' Motion (ECF No. 35), shall be, and is hereby, **GRANTED IN PART AND DENIED IN PART** as follows: **GRANTED** as to Count VII to the extent Plaintiff relies upon the 2008 Real Property Transaction and the 2022 Real Property Transaction; **DENIED** as to Count VII in all other respects; and **DENIED** as to Counts III, IV, VIII.

For clarity, the case will proceed as follows:

<b>Counts</b>	<b>Defendants</b>
Count I: Negligent Hiring	Mercy High School, BOT
Count II: Negligent Supervision, Retention & Training	Mercy High School, BOT
Count III: Gross Negligence	Mercy High School, BOT
Count IV: Breach of Fiduciary Duty	Mercy High School, BOT
Count V: Violation of 20 U.S.C. § 1681 <i>et seq.</i>	Mercy High School, BOT
Count VI: Retaliation in Violation of 20 U.S.C. § 1681 <i>et seq.</i>	Mercy High School
Count VII: Fraudulent Conveyance	Mercy High School, BOT, MHSAM (as to the 2022 Tower Lease Transaction)
Count VIII: Negligence	Mercy High School, BOT

/s/

Julie R. Rubin  
United States District Judge